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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/941,837  | 08/30/2001  | Sang O. Park         | K-0318              | 6861             |
| 34610 7590 08/18/2010<br>KED & ASSOCIATES, LLP<br>P.O. Box 221200<br>Chantilly, VA 20153-1200 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| VAN HANDEL, MICHAEL P   |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 2424  |             |                      |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/941,837

**Applicant(s)**

PARK, SANG O.

**Examiner**

MICHAEL VAN HANDEL

**Art Unit**

2424

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/30/2010 BPAI decision.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-11, 13-22, 24-28, 30 and 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-11, 13-22, 24-28, 30 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **§ 1.198 Reopening after a final decision of the Board of Patent Appeals and Interferences.**

When a decision by the Board of Patent Appeals and Interferences on appeal has become final for judicial review, prosecution of the proceeding before the primary examiner will not be reopened or reconsidered by the primary examiner except under the provisions of § 1.114 or § 41.50 of this title without the written authority of the Director, and then only for the consideration of matters not already adjudicated, sufficient cause being shown.

The examiner has specific knowledge of the existence of particular references that indicate non-patentability of the appealed claims. Therefore, prosecution is re-opened, and a new art rejection on the merits is presented below. See MPEP 1214.05.

**A Technology Center Director has authorized re-opening prosecution under 37 CFR 1.198 for the purpose of entering the new rejection.**

/Timothy P Callahan/

Director, Technology Center 2400

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-4, 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitsukawa et al. in view of Hoyle.

Referring to claim **1**, Kitsukawa et al. discloses an apparatus for displaying broadcast information of a television, comprising:

- a broadcast service provider transmitting broadcast signals of each broadcast program including region information (displayed mark indicating advertising content for portion of scene) and specific information for each region (link to advertising content for object)(col. 5, l. 32-37 & col. 7, l. 10-31), the region information indicating a region whereby specific information exists (col. 7, l. 16-31; col. 8, l. 31-34; & Fig. 5) and the specific information including a plurality of information data relating to an object included within a specific region (col. 9, l. 52-58; col. 10, l. 22-25; & Figs. 6, 7);
- a television receiver for receiving the broadcast signals transmitted from the broadcast service provider, video processing the received broadcast signals and displaying them through a screen, and displaying the specific information of a corresponding region when a user selects a certain region on the screen, wherein a position of a cursor is moved over the screen in accordance with movement of an indicating device (col. 4, l. 20-24, 49-54; col. 7, l. 21-30; col. 9, l. 52-58 & Figs. 1-3).

Kitsukawa et al. further discloses that the specific information is electronic advertising information (col. 2, l. 19-34). Kitsukawa et al. still further discloses indicating to the user that the advertising information exists by depicting a box surrounding the selectable region (col. 8, l. 41-44 & Fig. 5). Kitsukawa et al. does not disclose that the television receiver changes a shape or color of the cursor when the cursor is positioned within the specific region. Hoyle discloses a computer for displaying advertisements (p. 7, l. 25-27). Hoyle further discloses that the computer can be a set top television box or a television (p. 5, l. 17-20). Hoyle still further discloses that, when the user places a mouse cursor over an advertisement possessing a network hyperlink or URL associated with it, the cursor changes into the shape of a hand, and clicking of the mouse button by the user can be used to cause the browser to be invoked to load the URL (p. 25, l. 9-19). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the step of moving a cursor over an interactive region of a screen of Kitsukawa et al. to include changing the cursor into the shape of a hand when within the interactive region, such as that taught by Hoyle in order to provide an unobtrusive, user-friendly interface to available information.

Referring to claims **2** and **3**, the combination of Kitsukawa et al. and Hoyle teaches the apparatus according to claim 1, wherein the television receiver includes:

- a TV controlling means for enabling the user to control TV functions and to select screen regions, wherein the TV controlling means includes a direction key or a track ball for selecting the screen region (Kitsukawa et al. col. 4, l. 46-54);

- a video processing unit for video processing the broadcast signals and the specific information corresponding to each region and for displaying the signals and information on the screen (Kitsukawa et al. col. 5, l. 46-48);
- a memory unit for storing the region information and the specific information corresponding to each region (Kitsukawa et al. col. 5, l. 44-46); and
- a microcomputer for reading, from the memory unit, the specific information corresponding to the region of the screen selected by the user through the TV controlling means with reference to the region information and for outputting the information to the video processing unit (Kitsukawa et al. col. 6, l. 9-18).

Referring to claim 4, the combination of Kitsukawa et al. and Hoyle teaches the apparatus according to claim 2, wherein the television receiver further includes an Internet module enabling WEB site information included in the specific information to be read and processed through the screen (Kitsukawa et al. col. 8, l. 55-57).

Referring to claim 30, the combination of Kitsukawa et al. and Hoyle teaches the apparatus according to claim 1, wherein the television receiver displays a plurality of indexes, each index corresponding to one of the regions having specific information (Kitsukawa et al. col. 10, l. 15-28).

3. Claims 5, 6, 9-11, 13-22, 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis in view of Hoyle.

Referring to claims 5, 6, 11, 13, 14, 16-19, 21, 22, and 25-28, Kikinis discloses a method/receiver of displaying broadcast information of a television, comprising the steps of:

- a broadcast service provider (col. 5, l. 34-35) transmitting broadcast signals of each broadcast program including region information (data identifying position and extent of interactive object)(col. 7, l. 14-27) and specific information for each region (URL associated with interactive region)(col. 7, l. 14-27), the specific information including a plurality of information data, including at least a uniform resource locator (URL), relating to an object included within a specific region (col. 7, l. 14-27; col. 10, l. 45-67; col. 11, l. 1-19; & Figs. 2A-2C, 3A, 3B);
- receiving through a television receiver the broadcast signals transmitted from the broadcast service provider, video processing the received broadcast signals and displaying them through a screen, and storing the region information and the specific information for each region among the broadcast signals (col. 7, l. 48-56 & col. 9, l. 29-35);
- a user operating an indicating means to search a region on the screen and selecting a desired region, wherein the user operating the indicating means includes moving a position of a cursor in accordance with movement of the indicating means and displaying a video image of the region selected by the user or its corresponding specific information (col. 7, l. 57-65; col. 8, l. 1-37; & Figs. 2A-2C).

Kikinis further discloses enhancing an image in the display to indicate to the viewer that the dynamic image is a related region for access for further information (col. 8, l. 54-60). Kikinis does not disclose changing a shape or color of the cursor corresponding to the region of the

screen where the cursor is positioned. Hoyle discloses a computer for displaying advertisements (p. 7, l. 25-27). Hoyle further discloses that the computer can be a set top television box or a television (p. 5, l. 17-20). Hoyle still further discloses that, when the user places a mouse cursor over an advertisement possessing a network hyperlink or URL associated with it, the cursor changes into the shape of a hand, and clicking of the mouse button by the user can be used to cause the browser to be invoked to load the URL (p. 25, l. 9-19). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the step of moving a cursor over an interactive region of a screen of Kikinis to include changing the cursor into the shape of a hand, such as that taught by Hoyle in order to provide an unobtrusive, user-friendly interface to available information.

NOTE: The USPTO considers the applicant's "at least one of" language to be anticipated by any reference containing any of the subsequent corresponding elements.

Referring to claim **9**, the combination of Kikinis and Hoyle teaches the method according to claim 5, wherein the step of displaying a video image of the region selected by the user or its corresponding specific information includes the step of displaying a video image of a region selected by the user on one side of the screen and displaying corresponding video related information on the rest of the screen (Kikinis col. 8, l. 1-22 & Fig. 2C).

Referring to claim **10**, the combination of Kikinis and Hoyle teaches the method according to claim 5, wherein the step of displaying a video image of the region selected by the user or its corresponding specific information includes the step of connecting to an Internet WEB site corresponding to the video image of the selected region and displaying a corresponding screen image (Kikinis col. 8, l. 1-22 & Fig. 2C).



Referring to claims **15**, **20**, and **24**, the combination of Kikinis and Hoyle teaches the method of claims 11, 16, and 21, respectively, further comprising undisplaying the supplemental information from the display screen when a return command is received from the user and redisplaying the image on the display screen (Kikinis col. 8, l. 8-10).

4. Claims **8**, **31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis in view of Hoyle and further in view of Kitsukawa et al.

Referring to claims **8** and **31**, the combination of Kikinis and Hoyle teaches the method according to claims 5 and 16, respectively, wherein the step of the user operating an indicating means to search a region on the screen and selecting a desired region includes the step of the user pressing a selection key on the indicating means to select the region (Kikinis col. 7, l. 56-65). The combination of Kikinis and Hoyle does not teach the steps of displaying indexes on the regions defined by the region information among the regions of the screen and selecting a desired index from among the displayed indexes. Kitsukawa et al. discloses an advertising mark 720 for display on a screen. Following selection of the advertising mark 720, advertising information 704 corresponding to various items on the screen is superimposed over the program broadcast 702. The user then selects the advertising information for the item they are interested in (col. 10, l. 15-28). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the Kikinis' method of selecting a region in the combination of Kikinis and Hoyle to include displaying advertising information corresponding to various items on the screen and allowing the user to select which of the items they are interested

in, such as that taught by Kitsukawa et al. in order to better target supplemental information to a user's specific interests.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL VAN HANDEL whose telephone number is (571)272-5968. The examiner can normally be reached on 8:00am-5:30pm Mon.-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/  
Supervisory Patent Examiner, Art Unit  
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